APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/015,242	12/17/2001	James Lentz	AUS9-2001-0371-US1	6291

7590	01/25/2005

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EXAMINER
ROSWELL, MICHAEL

ART UNIT	PAPER NUMBER
2173	

DATE MAILED: 01/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application N .	Applicant(s)
	10/015,242	LENTZ ET AL.
Office Action Summary	Examiner	Art Unit	
	Michael Roswell	2173	

-- The MAILING DATE of this c mmunication appears on the cover she t with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 October 2004*.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle,* 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) · _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

Claim Objections

Claim 9 is objected to because of the following informalities: The claim terminates with

improper punctuation (a semi-colon followed by a period). Appropriate correction is required.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found

in a prior Office action.

Claims 1-5, 7, 9-15, and 18-19 are rejected under 35 U.S.C. 103(a) as being

unpatentable over the "StockBoss Interactive For Research in Motion BlackBerry" user's guide,

hereinafter StockBoss, and Guscott et al (US Patent 5,084,696), hereinafter Guscott.

Regarding claim 1, StockBoss teaches configuring a graphical display with plural defined

reference values of interest associated with the resource with an interactive graphical element

that includes plural user configurable trigger points (taught as manually configuring stock alert

settings in a Preference screen, at page 3, col. 2), defining the user configurable trigger points

with at least one threshold trigger point representative of a critical value (taught as the ability to

specify low alerts, high alerts, percent change alerts, and fixed price alerts, at page 3, col. 2),

delivering a graphical alert to a user when a reference value of interest exceeds the critical

value (taught as the ability to send alerts to a user's pager or email, at page 4, col. 2).

While StockBoss teaches the avoidance of unwanted alerts within a value limit (see the "Manual On" and "Manual Off" sections of page 3, col. 2), the reference fails to explicitly teach at least one rearm trigger set point, wherein the threshold trigger point is tripped, the graphical alert is disabled and not reset and rearmed until the reference value falls below the rearm trigger set point to avoid unwanted alerts within a value limit.

Guscott teaches a signal detection system having dynamically adjustable threshold values and generating an alarm based on the exceeding of those threshold values, similar to StockBoss. Furthermore, Guscott teaches at least one rearm trigger set point, wherein the threshold trigger point is tripped, the graphical alert is disabled and not reset and rearmed until the reference value falls below the rearm trigger set point to avoid unwanted alerts within a value limit, taught as the inclusion of a reset level for the resetting of an alarm timer and alarm activator once an input signal falls below the reset level, at col. 2, lines 27-31.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of StockBoss and Guscott before him at the time the invention was made to modify the value alert system to StockBoss to include the reset level of Guscott in order to obtain a system for alerting a user of values of interest wherein alerts are not activated a further time unless the reset level condition is met.

One would be motivated to make such a combination for the advantage of avoiding unnecessary alarms within a certain threshold level. See col. 5, lines 38-55.

Regarding claim 2, StockBoss teaches plural threshold trigger points, each having their own associated rearm trigger set point, taught as the ability to specify alert points for multiple stocks (see page 3, col. 2), which in combination with the reset level of Guscott, lends itself to a rearm trigger set point associated with each threshold trigger point.

Regarding claim 3, StockBoss teaches a graphical user interface for displaying and allowing configuration of the interactive graphical element and the user configurable trigger points, taught as the manual specification of alerts, at page 3, col. 2, and page 4, col. 2.

Regarding claim 4, StockBoss teaches the use of real time pager alerts and email alerts, which are well known to include visual and audio data, at page 4, col. 2.

Regarding claim 5, StockBoss teaches displaying visually coded indicia associated with predefined reference values of interest, taught as the price and volume charts of page 5, col. 1.

Regarding claim 7, StockBoss teaches threshold trigger points representative of critical values being defined by a user, at page 3, col. 2, and page 4, col. 2.

Regarding claim 9, StockBoss teaches configuring a graphical display with plural defined reference values of interest associated with the resource with an interactive graphical element that includes plural user configurable trigger points (taught as manually configuring stock alert settings in a Preference screen, at page 3, col. 2) and delivering a graphical alert to a user when a reference value of interest exceeds the critical value (taught as the ability to send alerts to a user's pager or email, at page 4, col. 2).

While StockBoss teaches the avoidance of unwanted alerts within a value limit (see the "Manual On" and "Manual Off" sections of page 3, col. 2), the reference fails to explicitly teach at least one rearm trigger set point, wherein the threshold trigger point is tripped, the graphical

alert is disabled and not reset and rearmed until the reference value falls below the rearm

trigger set point to avoid unwanted alerts within a value limit.

Guscott teaches a signal detection system having dynamically adjustable threshold

values and generating an alarm based on the exceeding of those threshold values, similar to

StockBoss. Furthermore, Guscott teaches at least one rearm trigger set point, wherein the

threshold trigger point is tripped, the graphical alert is disabled and not reset and rearmed until

the reference value falls below the rearm trigger set point to avoid unwanted alerts within a

value limit, taught as the inclusion of a reset level for the resetting of an alarm timer and alarm

activator once an input signal falls below the reset level, at col. 2, lines 27-31.

Therefore, it would have been obvious to one of ordinary skill in the art, having the

teachings of StockBoss and Guscott before him at the time the invention was made to modify

the value alert system to StockBoss to include the reset level of Guscott in order to obtain a

system for alerting a user of values of interest wherein alerts are not activated a further time

unless the reset level condition is met.

One would be motivated to make such a combination for the advantage of avoiding

unnecessary alarms within a certain threshold level. See col. 5, lines 38-55.

Regarding claim 10, StockBoss teaches threshold trigger points representative of critical

values being defined by a user, at page 3, col. 2, and page 4, col. 2.

Regarding claim 11, StockBoss teaches computer pre-configured alert settings, at the

"Volume %" section of page 4, col. 2.

Regarding claim 12, StockBoss teaches the use of real time pager alerts and email alerts, which are well known to include visual and audio data, at page 4, col. 2.

Regarding claim 13, StockBoss teaches predefined actions such as suspension, cessation, and disablement of events related to a resource, taught as not triggering any other alerts until the adjustment of a threshold value, at page 3, col. 2, and adjustment and re-enablement of events related to a resource, taught as the re-adjustment of threshold levels, at page 3, col. 2.

Regarding claim 14, StockBoss teaches configuring a graphical display with plural defined reference values of interest associated with the resource with an interactive graphical element that includes plural user configurable trigger points (taught as manually configuring stock alert settings in a Preference screen, at page 3, col. 2), defining the user configurable trigger points with at least one threshold trigger point representative of a critical value (taught as the ability to specify low alerts, high alerts, percent change alerts, and fixed price alerts, at page 3, col. 2), delivering a graphical alert to a user when a reference value of interest exceeds the critical value (taught as the ability to send alerts to a user's pager or email, at page 4, col. 2).

While StockBoss teaches the avoidance of unwanted alerts within a value limit (see the "Manual On" and "Manual Off" sections of page 3, col. 2), the reference fails to explicitly teach at least one rearm trigger set point, wherein the threshold trigger point is tripped, the graphical alert is disabled and not reset and rearmed until the reference value falls below the rearm trigger set point to avoid unwanted alerts within a value limit.

Guscott teaches a signal detection system having dynamically adjustable threshold values and generating an alarm based on the exceeding of those threshold values, similar to

StockBoss. Furthermore, Guscott teaches at least one rearm trigger set point, wherein the threshold trigger point is tripped, the graphical alert is disabled and not reset and rearmed until the reference value falls below the rearm trigger set point to avoid unwanted alerts within a value limit, taught as the inclusion of a reset level for the resetting of an alarm timer and alarm activator once an input signal falls below the reset level, at col. 2, lines 27-31.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of StockBoss and Guscott before him at the time the invention was made to modify the value alert system to StockBoss to include the reset level of Guscott in order to obtain a system for alerting a user of values of interest wherein alerts are not activated a further time unless the reset level condition is met.

One would be motivated to make such a combination for the advantage of avoiding unnecessary alarms within a certain threshold level. See col. 5, lines 38-55.

Regarding claim 15, StockBoss teaches plural threshold trigger points, each having their own associated rearm trigger set point, taught as the ability to specify alert points for multiple stocks (see page 3, col. 2), which in combination with the reset level of Guscott, lends itself to a rearm trigger set point associated with each threshold trigger point.

Regarding claim 18, StockBoss teaches the use of real time pager alerts and email alerts, which are well known to include visual and audio data, at page 4, col. 2.

Regarding claim 19, StockBoss teaches threshold trigger points representative of critical values being defined by a user, at page 3, col. 2, and page 4, col. 2.

Claims 6, 8, 16-17 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over StockBoss, Guscott, and Risberg et al (US Patent 5,339,392), hereinafter Risberg.

Regarding claim 6, StockBoss and Guscott have been shown *supra* to teach a method for tracking dynamic properties of a resource that includes user configurable trigger points related to alert events, rearm trigger points used to reset and rearm graphical alerts related to the trigger points, and visually coded indicia associated with reference values of interest.

However, StockBoss and Guscott fail to explicitly teach displaying visually coded indicia associated with at least one of trigger status, enablement and disablement of the user configurable trigger points.

Risberg teaches a method and apparatus used in tracking changes in real time data, as well as sending visual alerts to a user upon the tripping of a user-configurable threshold value. Furthermore, Risberg teaches visually coded indicia associated with at least one of trigger status, enablement and disablement of the user configurable trigger points, taught as the flashing of tracked information in response to an alert condition being met, at col. 16, lines 25-31.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of StockBoss, Guscott , and Risberg before him at the time the invention was made to modify the method for tracking dynamic properties of a resource taught by StockBoss and Guscott to include the flashing of tracked information taught by Risberg in order to obtain a method for tracking dynamic properties of a resource as well as visually indicating the status of a trigger point.

One would be motivated to make such a combination for the obvious advantage of easier user notification of changing conditions.

Regarding claims 8, 16, and 20, at the time the invention was made, it would have been

obvious to a person of ordinary skill in the art to modify the dynamic graphs of Risberg (Fig. 1)

to display the information found in the graphs in a display bar. Applicant has not disclosed that

a display bar provides an advantage, is used for a particular purpose, or solves a stated

problem. One of ordinary skill in the art, furthermore, would have expected Applicant's invention

to perform equally well with a dynamic graph because it allows for the dynamic tracking of

relevant information and the display of visual alerts.

Regarding claim 17, StockBoss teaches displaying visually coded indicia associated with

predefined reference values of interest, taught as the price and volume charts of page 5, col. 1.

Response to Arguments

Applicant's arguments with respect to claims 1-20 have been considered but are moot in

view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant

is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period
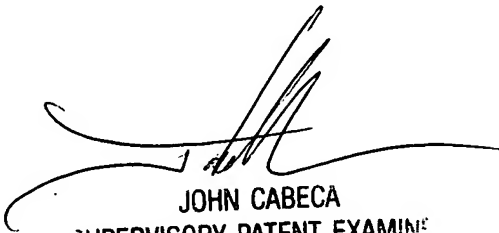
will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Michael Roswell whose telephone number is (571) 272-4055. The

examiner can normally be reached on 8:30 - 6:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Cabeca can be reached on (571) 272-4048. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private

PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael Roswell
1/13/2005

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